

ESTTA Tracking number: **ESTTA460674**

Filing date: **03/08/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91202948
Party	Defendant Apollo Sprayers International, Inc.
Correspondence Address	H DANIEL FULLER CADDEN FULLER LLP 114 PACIFICA , SUITE 450 IRVINE, CA 92660 0755 UNITED STATES dfuller@caddenfuller.com
Submission	Withdrawal Of Application
Filer's Name	H. Daniel Fuller
Filer's e-mail	dfuller@caddenfuller.com
Signature	/H. Daniel Fuller/
Date	03/08/2012
Attachments	APO0102ABANDONMENTOFAPP.pdf (4 pages)(129114 bytes)

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of EXPRESS ABANDONMENT (WITHDRAWAL) OF APPLICATION TO REGISTER "MAXIMIST" TRADEMARK has been served on the following by delivering said copy on March 8, 2012, via First Class Mail, postage prepaid, to counsel for Opposer at the following address:

Boris Umansky
Leydig, Voit & Mayer, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601

By: _____


H. Daniel Fuller

Cecilia A. Perkins

From: Umansky, Boris [bumansky@leydig.com]
Sent: Thursday, March 08, 2012 8:10 AM
To: Cecilia A. Perkins
Cc: Dan Fuller
Subject: RE: APO0102: David Kay, et al. v. Apollo Sprayers: MAXIMIST Trademark Application

Hi Cecilia,

Our clients consent to the withdrawal of Apollo's U.S. trademark application for MAXIMIST.

Regards,

Boris Umansky
Leydig, Voit & Mayer, Ltd.
bumansky@leydig.com | (312) 616-5687 (Direct) | <http://www.leydig.com>

From: Cecilia A. Perkins [mailto:cperkins@caddenfuller.com]
Sent: Thursday, March 08, 2012 9:37 AM
To: Umansky, Boris
Cc: Dan Fuller
Subject: RE: APO0102: David Kay, et al. v. Apollo Sprayers: MAXIMIST Trademark Application
Importance: High

May we please hear from you this morning, since we would like to file the withdrawal no later than tomorrow.
Thanks!

Cecilia A. Perkins, Esq.
Cadden & Fuller LLP
114 Pacifica, Suite 450
Irvine, CA 92618-3326
Telephone: (949) 788-0827
Facsimile: (949) 450-0650

From: Umansky, Boris [mailto:bumansky@leydig.com]
Sent: Tuesday, March 06, 2012 2:36 PM
To: Cecilia A. Perkins
Cc: Dan Fuller
Subject: RE: APO0102: David Kay, et al. v. Apollo Sprayers: MAXIMIST Trademark Application

Hello Cecilia,

Thank you for your e-mail. I will discuss this with my client and will revert to you within the next few days.

Regards,

Boris Umansky
Leydig, Voit & Mayer, Ltd.
bumansky@leydig.com | (312) 616-5687 (Direct) | <http://www.leydig.com>

From: Cecilia A. Perkins [mailto:cperkins@caddenfuller.com]
Sent: Tuesday, March 06, 2012 3:56 PM
To: Umansky, Boris

3/8/2012

Exhibit **A**

Cc: Dan Fuller

Subject: FW: APO0102: David Kay, et al. v. Apollo Sprayers: MAXIMIST Trademark Application

Our client, Apollo Sprayers International, Inc., has decided to withdraw its application with respect to Application Number 85225969 for MAXIMIST which your clients have opposed. We assume you will consent to the withdrawal of this application. Kindly confirm so that the necessary documents can reflect the same.

Cecilia A. Perkins, Esq.
Cadden & Fuller LLP
114 Pacifica, Suite 450
Irvine, CA 92618-3326
Telephone: (949) 788-0827
Facsimile: (949) 450-0650

3/8/2012